

HOUSE No. 2772

By Mrs. Paulsen of Belmont, petition of Anne M. Paulsen and others for legislation to provide health insurance coverage under Medicaid for smoking cessation programs. Health Care Financing.

The Commonwealth of Massachusetts

PETITION OF:

Anne M. Paulsen	Rachel Kaprielian
Kay Khan	Patricia D. Jehlen
Shirley Owens-Hicks	Ellen Story
Barbara A. L'Italien	Douglas W. Petersen
Benjamin Swan	John W. Scibak
Ruth B. Balser	Michael E. Festa

In the Year Two Thousand and Five.

AN ACT TO PROVIDE MEDICAID COVERAGE FOR SMOKING CESSATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 118E of the General Laws is hereby
2 amended by inserting after section 10A the following new
3 section:—
4 Section 10B. The division shall provide coverage under Med-
5 icaid for smoking and tobacco use cessation treatment and infor-
6 mation — including nicotine replacement therapy, other
7 evidence-based pharmacologic aids to quitting smoking, and
8 accompanying counseling by a physician, certified tobacco use
9 cessation counselor, or other qualified clinician — and the provi-
10 sion of smoking and tobacco use prevention educational informa-
11 tion and materials to any person eligible for medical assistance
12 under Medicaid and who lack private health insurance coverage
13 for such services. Nothing in this law shall prevent Medicaid from
14 requiring a co-payment for these services or using another cost-
15 sharing mechanism.

1 SECTION 2. Chapter 118E of the General Laws is hereby
2 amended by inserting in section 8 the following new clauses:
3 (i) “Nicotine Replacement Therapy,” evidence-based therapies
4 that involve having addicted smokers use nicotine substitutes or
5 replacements as an aid to weaning them from their addiction to
6 nicotine, including, but not limited to, the four nicotine replace-
7 ment therapies currently available to smokers: the nicotine patch,
8 nicotine gum, nicotine nasal spray, and the nicotine inhaler.
9 (j) “Certified tobacco use cessation counselor,” a tobacco use
10 cessation counselor certified by the Commonwealth of Massachu-
11 setts.